

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

STEVE COLEMAN,

Plaintiff,

v.

SHEEKLES, *et al.*,

Defendants.

Case No. 3:23-CV-00606-ART-CLB

**ORDER GRANTING MOTION TO  
SUBSTITUTE PARTY**

[ECF No. 11]

This case involves a civil rights action filed by Plaintiff Steve Coleman (“Coleman”), an inmate in the custody of the Nevada Department of Corrections (“NDOC”). Currently pending before the Court is Coleman’s filing titled “Motion to Correct a Clerical Mistake.” (ECF No. 11.) The Court construes this motion as a motion to amend pursuant to Fed. R. Civ. P. 15(c)(3). This rule allows an amended pleading to relate back to the date of the original pleading when the amendment changes the name of a party against whom a claim is asserted if the claim asserted arose out of the conduct, transaction, or occurrence set forth or attempted to be set forth in the original pleading. (*Id.*)

Coleman requests the Court allow him to substitute the name of the Defendant currently identified as “Porter.” (ECF No. 11.) Coleman represents that he recently discovered that this Defendant is actually an individual named “Parker.” (*Id.*) Defendants filed a response indicating their non-opposition to Coleman’s motion because the Office of the Attorney General and NDOC also believe that Defendant “Porter” is Correctional Officer Cody Parker. (ECF No. 12.) The NDOC also accepted service on behalf of Cody Parker. (*Id.*)

As the substitution of Cody Parker relates back to the conduct alleged in the original complaint, (ECF No. 1-2), Coleman’s motion is granted. Fed. R. Civ. P. 15(c)(3).

**IT IS THEREFORE ORDERED** that the first amended complaint shall be deemed amended to reflect the following: “Cody Parker” shall be amended and substituted for

1 Defendant "Porter". In addition, the Clerk of Court shall **CHANGE** the docket to reflect  
2 these amendments.

3 **IT IS SO ORDERED.**

4 **DATED:** August 8, 2024.

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UNITED STATES MAGISTRATE JUDGE